

Remarks***Status of the Claims***

By the foregoing amendments, claim 39 has been amended. Claims 50-56 have been withdrawn. These amendments to the claims do not add new matter, and their entry and consideration are respectfully requested. Upon entry of the foregoing amendments, claims 39-56 are pending in the application, with claim 39 being the sole independent claim.

Traversal of Restriction Requirement relating to single nucleotide sequence

Although sequences (a)-(f) in present claim 39 are patentably distinct, they are directed to similar subject matter; specifically point mutations of the 7 base pair region (TTTATAC) within the 15 bp core recognition site for the integrase protein. (See specification at page 59, lines 5-9, and pages 152-154.) According to M.P.E.P. Section 803:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct invention.

Applicants submit that the search and examination of six nucleotide sequences within this application, particularly ones that are *single point mutations* of a common core sequence, would not place an undue burden on the examiner within the meaning set forth by Section 803.

In view of the remarks presented above, Applicants respectfully request reconsideration of the restriction requirement as it relates to sequences (a)-(f) in claim 39, and request that all six sequences be examined on the merits.

HARTLEY *et al.*

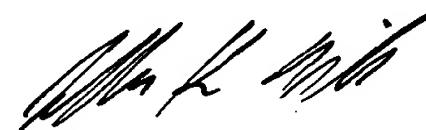
- 9 -

Appl. No.: 09/517,466
0942.4680003/RWE/BJD/JKM

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey K. Mills
Agent for Applicants
Registration No. 56,413

Date: July 28, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

421928_1.DOC